

**REMARKS**

In the Restriction Requirement mailed September 20, 2005, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-8, drawn to an immunostimulator comprising swine plasma, and an animal feed, a pharmaceutical, a food or beverage product, and an animal feed comprising the same, classified in class 530, subclass 830.
- II. Claims 9-17, drawn to a method of preventing infectious disease comprising administering the immunostimulator of invention I, classified in class 424, subclass 184.1.
- III. Claims 9-17, drawn to a method of preventing cancer comprising administering the immunostimulator of invention I, classified in class 424, subclass 277.1.

Applicants elect, without traverse, Group II, claims 9-17. Applicants respectfully cancel claims 1-8 without prejudice or disclaimer, and reserves the right to reintroduce them in one or more Divisional applications at a later date.

In addition, Applicants have amended claim 9 to recite a method of increasing disease resistance and to recite an effective amount. Support for these changes is present, for example, at page 5, lines 1-16 and at page 28, lines 10 and 11 of Applicants' specification. Applicants have also inserted the verb *is* in claim 14, and changed *whereby* to *wherein* in claims 10-17. No new matter has been added.

PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/699,810

Filing Date: November 3, 2003

Title: IMMUNOSTIMULATOR FOR ANIMALS AND HUMANS, AND METHOD OF PREVENTING ANIMAL AND HUMAN INFECTIOUS DISEASES AND CANCER

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Dkt: 1828.001US2

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (703) 239-9592 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

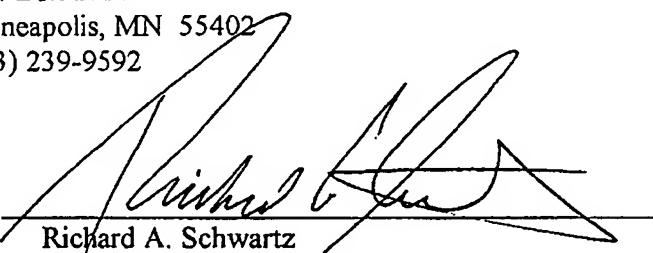
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By their Representatives,

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Date 18th October 2005

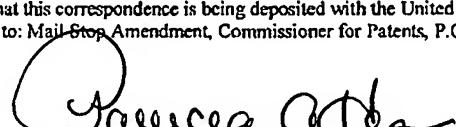
By

  
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 18th day of October, 2005.

PATRICIA A. HULTMAN

Name

  
Signature